

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **COMPUTERIZED COMMISSION BASED TRADING OPERATIONS**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Philip B. Polster, Reg. No. 16,554, Frederick M. Woodruff, Reg. No. 15,301, J. Philip Polster, Reg. No. 24,739, Lionel L. Lucchesi, Reg. No. 25,891, William G. Bruns, Reg. No. 19,541, Edward A. Boeschenstein, Reg. No. 22,986, William B. Cunningham, Jr., Reg. No. 26,155, Ralph B. Brick, Reg. No. 17,444, McPherson D. Moore, Reg. No. 28,449, J. Joseph Muller, Reg. No. 28,450, , Jonathan P. Soifer, Reg. No. 34,932, Ned W. Randle, Reg. No. 35,989, Martha A. Michaels, Reg. No. 20,453, Mark E. Books, Reg. No. 40,918, Catherine W. Wall, Reg. No. 42,209, Philip B. Polster, II, Reg. No. 43,864, David H. Chervitz, Reg. No. 32,820, and Ronald W. Hind, Reg. No. 24,643.

Direct all telephone calls to **Mark E. Books** at Telephone No. (314) 872-8118.

Address all correspondence to **Customer Number 001688**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Sole Inventor:

Theodore C. Jacoby, Jr.

Inventor's Signature:



Date: 1-29-01

Residence:

City of Sunset Hills, State of Missouri

Citizenship:

United States of America

Post Office Address:

12457 Limestone Spur

Sunset Hills, Missouri 63127

**Applicant:** Theodore C. Jacoby, Jr.

**Attorney's Docket No.:** TCJC 7812

**Serial No:**

**Filed:**

**For:** COMPUTERIZED COMMISSION BASED TRADING OPERATIONS

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
STATUS (37 CFR §1.9(f) AND §1.27(c))  
SMALL BUSINESS CONCERN**

I hereby declare that I am

() the owner of the small business concern identified below;  
() an official of the small business concern empowered to act on behalf of the concern identified below:

**NAME OF CONCERN:** T.C. Jacoby & Company, Inc.

**ADDRESS OF CONCERN:** 1716 Hidden Creek Court, St. Louis, Missouri  
63131

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled COMPUTERIZED COMMISSION BASED TRADING OPERATION, by inventor(s) Theodore C. Jacoby, Jr, described in

() the Specification filed herewith.  
() Application Serial No. , filed  
() Patent No. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by and concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a non-profit organization under 37 CFR § 1.9(e).

**Note:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27).

NAME OF CONCERN: T.C. Jacoby & Company, Inc.

ADDRESS OF CONCERN: 1716 Hidden Creek Court, St. Louis, Missouri 63131

Individual  Small Business Concern  Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

*Name of Person Signing:*

*Title of Person:*

*Address of Person Signing:*

*Signature:*

A handwritten signature in cursive script that reads "T.C. Jacoby". The signature is written over a horizontal line. A large, roughly circular oval is drawn around the "T.C." part of the signature.

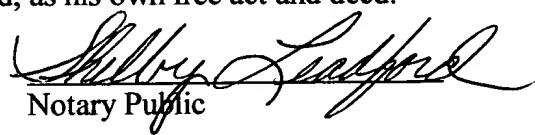
*Date:* 1-29-01

Date: 1-29-01

  
Theodore C. Jacoby, Jr., Inventor

STATE OF Missouri )  
 ) SS.  
COUNTY OF St. Louis )

On this 29th day of January, 2000, before me, a Notary Public, personally appeared Theodore C. Jacoby, Jr., to me known to be the person named in and who executed the above Assignment, and acknowledged to me that he executed the same for the uses and purposes therein mentioned, as his own free act and deed.

  
Notary Public

My Commission Expires:

SHELBY LEADFORD  
Notary Public – Notary Seal  
State of Missouri  
County of St. Louis  
My Commission Expires 09/25/2002